

EXHIBIT 1

HCDistrictclerk.com

The State of Texas vs. [REDACTED] (SPN:

1/19/2021

01156996)

Cause: 167240101010 CDI: 3 Court: 178

APPEALS

No Appeals found.

PAYMENT PLAN

No Payment Plan found.

RELATED CASES

No related cases found.

SUMMARY**CASE DETAILS****File Date** 4/21/2020**Case (Cause) Status** Dismissed**Offense** BURGLARY OF A BUILDING**Last Instrument Filed** Felony Indictment**Case Disposition** DISM-081020**Case Completion Date** 8/10/2020**Defendant Status** DISPOSED**Bond Amount** \$1,000.00**Next/Last Setting Date** 8/10/2020**DEFENDANT DETAILS****Race/Sex** B / M **Height/Weight** 5'09 / 150 LBS**Eyes** BRO **Hair** BLK**Skin** DBR **Build** MED**DOB** [REDACTED] 1955 **In Custody** N**US Citizen** YES **Place Of Birth** AL**Address****Markings****CURRENT PRESIDING JUDGE****Court** 178th**Address** 201 CAROLINE (Floor: 9)
HOUSTON, TX 77002
Phone:7137556336**JudgeName** Kelli Johnson**Court Type** Criminal**BONDS**

Date	Type	Description	SNU
04/21/2020	BOND SET	Refer to 15.17 Hearing SNU: 999 04/21/20	

ACTIVITIES

Date	Type	Description	SNU/CFI
08/12/2020	ORDER	ATTORNEY FEE VOUCHER SNU: 996 08/12/20	
08/12/2020	ORDER	ATTY FEE AMT \$380.00 SNU: 996 08/12/20	
08/10/2020	C87 ACTIVITY	DISM OTHER STATUS D CFI 178 SNU: 995 08/10/20	
08/10/2020	COURT ORDER	DISMISSAL SNU: 999 08/10/20	
08/10/2020	DISMISSAL REASON	OTHER 08/10/20	
05/14/2020	GRAND JURY ACTION	FID 05/14/20 G209 SNU: 999 05/14/20	

05/14/2020 GRAND JURY ACTION ROTATION CRT 178 OFF FREQ BND \$1000 05/14/20
 05/14/2020 GRAND JURY ACTION OFFENSE BURGLARY OF A BUILDING LEVEL FS 05/14/20
 05/14/2020 ORI HOUSTON POLICE DEPAR OFFENSE NO: 47484820 05/14/20
 05/14/2020 PRECEPT/SERVE IND DATE HOW EXECUTED E 05/19/20
 RETURNED 05/19/20
 DATE SERVED 05/15/20 05/19/20
 04/27/2020 SERVICE ACTIVITY BY PLACING DEF IN JAIL ON 04/23/20 04/27/20
 04/27/2020 RECEIPTED BY CLERK 04/27/20
 EXPIRE DATE TIME EXPIRE: SNU: 999 04/22/20
 04/27/2020 ATTORNEY DEANE, SAM H SNU: 999 04/28/20
 04/27/2020 ATTORNEY AAT COURT 178 CFI 178 04/28/20
 04/27/2020 JUDGE JOHNSON, KELLI DIANE PRESIDING 04/28/20
 04/23/2020 C87 ACTIVITY BOND SET STATUS J CFI 178 SNU: 996 04/23/20
 04/23/2020 C87 ACTIVITY IND ASMT H STATUS J CFI 178 SNU: 997 04/23/20
 04/23/2020 C87 ACTIVITY WARN GIVEN STATUS J CFI 178 SNU: 998 04/23/20
 04/23/2020 ORDER GRTD BND 1000 H/O JG SNU: 997 04/23/20
 04/23/2020 OFFENSE BURGLARY OF A BUILDING LEVEL FS 04/23/20
 04/23/2020 ORDER FINANCIAL AFFIDAVIT FILED SNU: 998 04/23/20
 04/23/2020 OFFENSE BURGLARY OF A BUILDING LEVEL FS 04/23/20
 04/23/2020 ORDER REQUESTED REPRESENTATION SNU: 999 04/23/20
 04/23/2020 OFFENSE BURGLARY OF A BUILDING LEVEL FS 04/23/20
 04/22/2020 WARI TIME 0700 AMOUNT Refer to 15.17 Hearing SNU: 999 04/27/20
 04/22/2020 ACKNOWLEDGED BY SHERIFF 04/27/20
 04/22/2020 C87 ACTIVITY PC FOUND STATUS CFI 178 SNU: 999 04/22/20
 04/22/2020 C87 ACTIVITY PROBABLE CAUSE FOUND 04/22/20
 04/21/2020 COMPLAINT FILED 1742 178 BURGLARY OF A BUILDING LEVEL FS 04/21/20
 04/21/2020 BOND SET Refer to 15.17 Hearing SNU: 999 04/21/20
 04/21/2020 REVIEWED BY POWERS, SEAN JEFFREY VALENZUEL 04/21/20
 04/21/2020 ORI HOUSTON POLICE DEPAR OFFENSE NO: 47484820 05/14/20
 04/21/2020 COMPLAINANT SMITH, R M 05/14/20
 04/21/2020 MOTIONS STATES HIGH BOND SNU: 999 04/21/20
 04/21/2020 MOTIONS FILED CFI 178 04/21/20

WITNESS

Subpoena ID	Status	Name	County	Request Date	Issued Date	Summoned By	Served Date	Return Date	Return Type
821461	Returned	RECORDS, CUSTODIAN	Harris County	8/26/2020	8/27/2020	Peace Officer	9/1/2020	9/1/2020 10:11:00 AM	Executed
821462	Returned	INN, FRONTIER	Harris County	8/26/2020	8/28/2020	Peace Officer	9/1/2020	9/1/2020 12:23:00 PM	Executed
821499	Returned	RODRIGUEZ,	Harris	8/26/2020	8/28/2020	Peace Officer	8/28/2020	8/28/2020	Executed

MARTHA County

12:38:00
PM**BOOKINGS**

Arrest Date	Arrest Location	Booking Date
4/23/2020 12:04:00 PM	5902	4/23/2020 1:18:00 PM

HOLDS

Agency Placing Hold	Agency Name	Warrant Number	Bond Amount	Offense	Hold Placed	Hold Lifted
TX227015G	BOPP	03089473	\$0.00	MOTION TO REVOKE PAROLE	4/23/2020	8/8/2020
TX227015G	BOPP	03089473	\$0.00	MOTION TO REVOKE PAROLE	7/7/2019	8/16/2019
TX227015G	BOPP	03089473	\$0.00	PAROLE VIOLATION	5/28/2018	4/17/2019
TX227015G	BOPP	03089473	\$0.00	PAROLE VIOL	11/6/2017	12/1/2017
TX BOPP	TX BOPP	0991528231	\$0.00	PAROLE VIOLATOR	9/27/1991	3/4/1992
TX- BOPP	TEXAS BOPP	8159528231	\$0.00	MOTION TO REVOKE PAROLE	8/16/1990	9/11/1990
TDC		0000445840	\$0.00	MOTION TO REVOKE PAROLE	11/17/1987	7/6/1988
TDC		468255	\$0.00	BENCH WARRANT TDC	5/26/1987	6/3/1987

CRIMINAL HISTORY

Case(Cause)Nbr / Status	Defendant	Filed / Booked	Ct	Disposition Status	Bond Amt	Type of Action / Offense	Next Setting
<u>167240101010-3</u> <u>Dismissed(D)</u>	[REDACTED]	4/21/2020 4/23/2020	178	Disposed(D) Dismissed(DISMISSAL)	8/10/2020 \$1,000.00	BURGLARY OF A BUILDING (F)	8/10/2020
<u>226790401010-2</u> <u>Complete(C)</u>	[REDACTED]	7/8/2019 7/7/2019	4	Disposed(D) Disposed(DISPATCH)	7/15/2019 \$100.00	FAIL TO ID TO P.O. FALSE INF/FUG (M)	7/15/2019
<u>159252501010-3</u> <u>Complete(C)</u>	[REDACTED]	5/28/2018 5/28/2018	182	Disposed(D) Disposed(DISPATCH)	4/2/2019 \$100.00	ASSAULT-BODILY INJURY (M)	4/2/2019
<u>158311001010-3</u> <u>Complete(C)</u>	[REDACTED]	3/10/2018 3/12/2018	351	Disposed(D) 4/6/2018	Refer to 15.17 Hearing	THEFT <\$2,500 2/MORE PREV CONVS (F)	4/6/2018
<u>059740101010-3</u> <u>Complete(C)</u>	[REDACTED]	5/8/1991 5/9/1991	184	Disposed(D) Disposed(DISPATCH)	8/21/1991 \$100.00	BURG BLDG (F)	8/21/1991
<u>058523901010-3</u> <u>Complete(C)</u>	[REDACTED]	1/6/1991 1/6/1991	262	Disposed(D) Disposed(DISPATCH)	3/14/1991 \$100.00	CRIMINAL TRESPASS (M)	3/14/1991
<u>057153401010-3</u> <u>Complete(C)</u>	[REDACTED]	8/8/1990 8/8/1990	209	Disposed(D) Disposed(DISPATCH)	8/23/1990 \$20,000.00	ASSLT (M)	8/23/1990
<u>054452301010-3</u> <u>Complete(C)</u>	[REDACTED]	10/11/1989 10/12/1989	174	Disposed(D) Disposed(DISPATCH)	10/12/1989 \$5,000.00	THEFT-\$200-\$750 HABITUAL (F)	10/12/1989
<u>051047801010-3</u> <u>Complete(C)</u>	[REDACTED]	9/11/1988 9/12/1988	337	Disposed(D) Disposed(DISPATCH)	10/11/1988 \$20,000.00	BURG BLDG (F)	10/11/1988

<u>048778401010-3Complete(C)</u>	[REDACTED]	11/4/1987 178	Disposed(D)	Disposed(DISPM)12/1/1987	\$2,000.00	THEFT-\$20-200 (M)	12/1/1987
<u>046825601010-3Complete(C)</u>	[REDACTED]	1/31/1987 262	Disposed(D)	Disposed(DISPM)3/4/1987	\$20,000.00	THEFT FROM PERSON (F)	3/4/1987
<u>090409201010-2Complete(C)</u>	[REDACTED]	7/22/1986 8	Disposed(D)	Disposed(DISPM)7/23/1986	\$800.00	TRESPASS PROP/BLDG-NO DEPART (M)	7/23/1986
<u>090202701010-2Complete(C)</u>	[REDACTED]	7/6/1986 11	Disposed(D)	Disposed(DISPM)7/9/1986	\$800.00	THEFT \$20-\$200 (M)	7/9/1986

ACTIVE PARTIES

Name	Connection	Post Jdgmt	SPN #
JOHNSON, KELLI DIANE	JUDGE - CRIMINAL		01759187
DEANE, SAMUEL HENRY	APPOINTED DEFENSE ATTORNEY		55692000
JONES, MANDY	PUBLIC DEFENDER AT PC DOCKET		02129655
[REDACTED]	DEFENDANT - CRIMINAL		01156996

INACTIVE PARTIES

No inactive parties found.

SETTINGS

Date	Court	Post	Docket	Reason	Results	Defendant	Future Date	Comments	Attorney Appearance Indicator
		Jdgmt	Type						
4/23/2020 09:00 AM	178		Assigned Court	Preliminary Assigned Court Appearance	Probable Cause - No Arrest	Data Not Entered	1/1/0001 12:00:00 AM		Absent
4/27/2020 09:00 AM	178		Attorney Consultation Docket	Arraignment	Reset By Agreement Of Both Parties	Data Not Entered	6/3/2020 12:00:00 AM		Present
6/03/2020 09:00 AM	178		Master Docket	Arraignment	Reset By Operation Of Law	Data Not Entered	8/12/2020 12:00:00 AM		To Be Set
8/10/2020 09:00 AM	178		Attorney Consultation Docket	Other	Dismissed	Data Not Entered	1/1/0001 12:00:00 AM		Absent
4/23/2020 08:00 PM	PCD		Motions Docket	Probable Cause Hearing	Warnings Given	Data Unavailable	1/1/0001 12:00:00 AM		To Be Set

ALIASES

Defendant Alias	True Name	Race	Sex	DOB	SPN#
[REDACTED]	Yes	B	M	[REDACTED]/1955	01156996
[REDACTED]		B	M	[REDACTED]/1955	01156996
[REDACTED]		B	M	[REDACTED]/1955	01156996
[REDACTED]		B	M	[REDACTED]/1955	01156996

DOCUMENTS

Number	Document	Post Jdgmt	Date	Pgs
91703352	ATTORNEY - FEE EXPENSE CLAIM (DISTRICT)		08/12/2020	2
91689806	ATTORNEY FEE VOUCHER FILED - 275844		08/11/2020	1
-> 91689807	EXHIBITS		08/11/2020	1
91668100	DISMISS CASE		08/10/2020	1
91689860	COMPLAINT DISMISSED		08/10/2020	1
90579645	CHARGING INSTRUMENT - FELONY INDICTMENT		05/14/2020	1
90382226	APPOINTING COUNSEL		04/27/2020	1
90345188	ADDITIONAL ORDERS		04/23/2020	2
	FINANCIAL AFFIDAVIT FILED		04/23/2020	
	IND ASMT HELD		04/23/2020	
	ORDER TO SET BAIL		04/23/2020	
	REQUESTED REPRESENTATION		04/23/2020	
	STATUTORY WARNINGS GIVEN		04/23/2020	
90319093	STATES MOTION FOR HIGH BOND		04/21/2020	1
90319211	FIRST EMERGENCY ORDER REGARDING THE COVID-19 STATE OF DISASTER		04/21/2020	1
90319594	CHARGING INSTRUMENT - COMPLAINT		04/21/2020	2

P2
APR 21 2020
1742
 Marilyn Burgess
 District Clerk
 Harris County, Texas
 Time: **1742**
 By: **CB**
 Deputy

THE STATE OF TEXAS
VS.
[REDACTED]

01156996

SPN: 01156996
 DOB: B M [REDACTED] /1955
 DATE PREPARED: 4/20/2020

D.A. LOG NUMBER: 2634261
 CJIS TRACKING NO.:
 BY: SB DA NO: 2595638
 AGENCY: HPD
 O/R NO: 047484820
 ARREST DATE: TO BE

FILED
 Marilyn Burgess
 District Clerk
 Harris County, Texas

NCIC CODE: 2200 96

RELATED CASES:

FELONY CHARGE: BURGLARY OF A BUILDING

CAUSE NO:

HARRIS COUNTY DISTRICT COURT NO:
 FIRST SETTING DATE:

1672401
178

COURT ORDERED BAIL: TO BE SET AT
 MAGISTRATION
 PRIOR CAUSE NO:
 CHARGE SEQ NUM:

IN THE NAME AND BY AUTHORITY OF THE STATE OF TEXAS:

Before me, the undersigned Assistant District Attorney of Harris County, Texas, this day appeared the undersigned affiant, who under oath says that he has good reason to believe and does believe that in Harris County, Texas, [REDACTED], hereafter styled the Defendant, heretofore on or about April 10, 2020, did then and there unlawfully, without the effective consent of the owner, namely, without any consent of any kind, intentionally enter a building owned by [REDACTED], a person having a greater right to possession of the building than the Defendant, and commit theft of one lawnmower, one leaf blower, one grass edger, one generator, one chain saw and meat.

Before the commission of the offense alleged above, (hereafter styled the primary offense, on October 11, 1988, in Cause Number 0510478, in the 337th District Court of Harris County, Texas, the Defendant was convicted of the felony offense of Burglary of a Building.

Before the commission of the primary offense, and after the conviction in Cause Number 0510478 was final, the Defendant committed the felony offense of Burglary of a Building and was finally convicted of that offense on August 21, 1991, in Cause Number 0597401, in the 184th District Court of Harris County, Texas.

PROBABLE CAUSE

I, R. M. SMITH, Affiant, a certified peace officer employed by the Houston Police Department, do solemnly swear that I have reason to believe and do believe that [REDACTED], hereinafter Defendant, a male, date of birth [REDACTED], 1955, did on or about April 10, 2020, in Harris County, Texas, commit the FELONY offense of BURGLARY OF A BUILDING.

MY BELIEF IS BASED ON THE FOLLOWING FACTS:

I reviewed Houston Police Department report #474848-20, written by Houston Police Department Officer D. Henning, and learned that on April 10, 2020, a burglary occurred at 5716 Hirsch Road, in Houston, Harris County and Texas. Two males pried open the door to the detached garage at this location in order to gain entry. These males then entered the garage and stole a Honda lawnmower, a leaf blower, a grass edger, a generator, a chain saw and \$200 in frozen meat. The house and the stolen property belonged to [REDACTED], hereinafter referred to as Complainant, and whom Affiant believes to be credible and reliable.

The burglary suspects were both seen stealing the Complainant's property by [REDACTED], hereinafter referred to as the Witness, and whom Affiant believes to be credible and reliable. The Witness is a neighbor and was in his front yard when he observed the two males leaving with the Complainant's stolen property. He recognized one of these males as someone known to him only as "Alabama", a man whom he has seen hanging out at the Key Grocery Store, located just one half block away at 4208 Kelley Street.

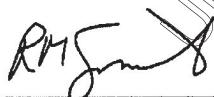
Affiant conducted a follow-up investigation and searched for anyone with an alias of "Alabama" through the Houston Police Department

computer system and found that a person named [REDACTED], hereinafter the Defendant, ON had an alias of "Alabama" and that he his last two arrests had occurred at the Key Grocery Store, 4208 Kelley Street. Affiant obtained a color photograph of the Defendant and created a photo array with this photograph randomly placed into the #6 position by the computer. This photo array was then given to Houston Police Department Officer G. Shelton so that he could present this array to the Witness in a blinded manner. After the Defendant read and signed the Witness Admonishment Form he then positively identified the Defendant as the same person whom he had seen stealing the Complainant's property.

Affiant met with the Complainant and she advised me that she did not know the Defendant and that the Defendant did not have permission to enter her garage nor to be in possession of any of her property.

AGAINST THE PEACE AND DIGNITY OF THE STATE.

Signed and sworn by me on 04/21/2020



AFFIANT

Duly attested by me on 4/21/2020



ASSISTANT DISTRICT ATTORNEY
OF HARRIS COUNTY, TEXAS
Bar No. 24073147

COMPLAINT

CAUSE NO. 167240101010SPN: 01156996DATE/TIME OF ARREST: 4/23/2020 12:04 PM

THE STATE OF TEXAS

v.

DOB: [REDACTED], 1955§ IN THE 178th DISTRICT COURT§
§ HARRIS COUNTY, TEXAS

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OTSWG

(998-

OTRREP

(998-

OTPCIH

(997-

OTFAF

STATUTORY WARNINGS BY MAGISTRATE - PROBABLE CAUSE FOR FURTHER DETENTION – PR BOND/BAIL ORDER

(998-

On this date and time the above-named defendant personally appeared before me, the undersigned Texas magistrate. The defendant appeared **in person** **by video teleconference** and I admonished the defendant as follows:

You are accused of STATE JAIL FELONY, namely, BURGLARY OF A BUILDING.

- You have the right to hire an attorney to represent you.
- You have the right to remain silent.
- You have the right to have an attorney present prior to and during any interview with peace officers or attorneys representing the state.
- You have the right to stop any interview at any time.

- You have the right to an examining trial in a felony offense.
- You are not required to make a statement and any statement you make can be used against you.
- You have the right to request the appointment of counsel if you cannot afford counsel.

(998-

BABSET

(001-

ADDO

(997)

If you consent, I can appoint the Public Defender to represent you and describe evidence on your behalf in this bail hearing regardless of whether you are indigent. If you request appointed counsel and are later found to be indigent, another lawyer would be appointed to represent you in any trial or plea on the charge(s) listed above.

Do you consent to allow an assistant public defender to represent you in this bail hearing, knowing that this lawyer will not continue to represent you when this hearing is over? NO YES— Pursuant to Joint Administrative Order No. 2017-01, Assistant

Public Defender Jones, Mandy

(print name) represented the Defendant in this bail hearing.

Do you request the appointment of counsel to represent you in the county or district court if you are determined to be indigent?

NO YES— The Court ORDERS Pretrial Services to help the defendant, if still in custody, prepare the request and any supporting paperwork, and then forward the request to the judge of the court in which the case is pending within 24 hours.

CONSULAR NOTIFICATION: If you are a foreign national, you may be entitled to have us notify your country's consular representative here in the United States. If your country requires notification, we will notify it as soon as possible.

The accused is a: United States citizen foreign national of (country).

The accused requests notification of consular officials.

MANDATORY NOTIFICATION: The clerk shall immediately alert the above country's consulate of this arrest.

If you are a foreign national, please provide the following information:

Name (father's last / mother's last / first)

Date of Birth

Place of Birth

Passport Number

Date Issued

Place Issued

PROBABLE CAUSE FINDING AND ORDER

- The Court FINDS that probable cause for further detention DOES NOT EXIST. The Court ORDERS the law enforcement agency and officer having custody of the defendant to immediately release the defendant from custody.
- The Court FINDS that probable cause for further detention EXISTS. The Court reviewed and/or set the defendant's bond as indicated in the BAIL ORDER below and, in clear and unambiguous language: (1) advised the defendant of his rights pursuant to TEX. CODE CRIM. P. Art. 15.17; and (2) provided the defendant with information required by law. The Court ORDERS the defendant committed to the custody of the Sheriff of Harris County, Texas, until he posts the required bond or until further order of the Court.
- Probable cause previously determined. The Court ORDERS the defendant committed to the custody of the Sheriff of Harris County, Texas, until he posts the required bond or until further order of the Court.

SEE NEXT PAGE FOR BAIL ORDER

April 23, 2020 22:00 PM

Date and Time

Magistrate Jennifer Gaut (SPN 02462297)

Magistrate (Judge or Hearing Officer)

(Rev. July 24, 2018)

Interpreter (if applicable)

Page 1 of 2

STATUTORY WARNINGS BY MAGISTRATE - PROBABLE CAUSE FOR FURTHER DETENTION – PR BOND/BAIL ORDER**PERSONAL BOND / BAIL ORDER**

Having found probable cause exists for the further detention of [REDACTED], the Court next determined the conditions of release for the accused to ensure he/she will appear and answer before the proper Court.

PART 1: PUBLIC SAFETY ASSESSMENT

The Court considered the Public Safety Assessment results and also considered the following presumptive personal bond recommendation:

- Personal Bond Recommended
- Personal Bond **NOT** Recommended
- Personal Bond Recommendation referred to Magistrate
- PSA NOT available

PART 2: PERSONAL BOND / BAIL REQUESTS

Presumptive Bail Amount \$888,888.00

A. DISTRICT ATTORNEY PR BOND / BAIL REQUEST

- Personal Bond Requested Opposed
 No Position
- Bail Request No DA Bail Request
 Higher _____
 Lower \$15,000.00
 No Bail

B. PUBLIC DEFENDER PR BOND / BAIL REQUEST

- Personal Bond Requested Opposed
 No Position
- Bail Request No PD Bail Request
 Higher _____
 Lower \$5,000.00
 No Bail

PART 3: FINANCIAL AFFIDAVIT

Signed and Sworn: Yes
 No

ORDER

After considering the above, the Court (1) advised the defendant of his rights pursuant to TEX.CODE CRIM.P. ART 15.17; (2) set the defendant's conditions of release in clear and unambiguous language; and (3) provided the defendant with information required by law. The Court then ORDERED the following:

Bail is set at: No Bail \$1,000.00 _____
 Conditions

Personal bond is: Not Approved Scores 4/2 (ave risk). No pending charges, no FTA. **No PTRB per GA 13**
 Approved Conditions

The reasons for this individual assessment of the appropriate conditions of release were explained to the above-named Defendant.

April 23, 2020 22:00 PM

Date and Time

Magistrate Jennifer Gaut (SPN 02462297)

Magistrate (Judge or Hearing Officer)

(Rev. July 24, 2018)

Interpreter (if applicable)

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THE STATE OF TEXAS

§ 178th DISTRICT COURT

V.

§ OF

Pgs-1

Defendant (SPN 01156996)

§ HARRIS COUNTY, TEXAS

ATAC
(999)**ORDER APPOINTING COUNSEL**

On this, the April 27, 2020, the Court finds (CHECK ONE)

- the DEFENDANT is indigent.
 the interests of justice require representation.

Therefore, the Court ORDERS that the ATTORNEY LISTED BELOW the HARRIS COUNTY PUBLIC DEFENDER'S OFFICE is appointed to represent the DEFENDANT named above in this cause.DEANE, SAMUEL HENRY
Attorney/Assistant Public Defender Assigned by HCPD

E-Mail Address

103 EASTWAY
Address

Phone Number

GALENA_PK TX 77547
City State Zip

Fax Number

55692000
SPN Number05692000
Bar Number

The Court further ORDERS the cause set for: Arraignment

On the Wednesday, June 03, 2020 at 9:00 am before this Court at 1201 Franklin, Houston, Harris County, Texas.

Signed this April 28, 2020.

KELLI JOHNSON
Judge Presiding The State has offered or The State and Defense agree as follows:Defense Attorney 

Prosecutor _____

Defendant/Witness Signature X

DEFENDANT IN CUSTODY

FOR COURT STAFF ONLYReset by: Court Defense Operation of Law Prosecution

Reason for Reset:

- D.A. to Contact Complainant/Witness
 D.A. to Evaluate Case
 D.A. to Reindict
 D.A. to file MRP/MAJ
 Defendant On Call
 Defendant to Consider Offer

- Defense to Contact Witness
 Disposition of Misd./OOC Case
 File Unavailable
 MHMRA Evaluation
21 Day Full
 No Tape/Lab
 No Offense Report

- Not Indicted
 Other
 Refer to
 Restitution Info
 To Hire Attorney

CAUSE NO. 167240101010

THE STATE OF TEXAS

VS.

[REDACTED]

OFFENSE: BURGLARY OF A BUILDING

§ IN THE 178TH DISTRICT COURT
§
§ OF
§
§ HARRIS COUNTY, TEXAS

Pgs-1

DIDISM
(995)

MOTION TO DISMISS

The State respectfully requests the Court to dismiss the above entitled and numbered criminal action for the following reason(s):

- Case refiled as Cause No. .
- Defendant was convicted in another case: Cause No. .
- Missing witness.
- Request of complaining witness.
- Dispositive motion granted.
- Probable cause exists, but case cannot be proven beyond a reasonable doubt at this time.
- In custody elsewhere – will not be extradited to Harris County.
- Due to passage of time, defendant not likely to be located or, if arrested, successfully prosecuted.
- No probable cause exists at this time to believe the defendant committed the offense.
- Other (explanation required)

EXPLANATION: Defendant deceased

WHEREFORE, PREMISES CONSIDERED, it is requested that the above entitled and numbered cause be dismissed.

Respectfully submitted,

OSWALD, JANNA
Assistant District Attorney
Harris County District Attorney's Office
TBC No. 24063158
OSWALD_JANNA@DAO.HCTX.NET

ORDER AND NOTICE

The foregoing motion having been presented to me on this the August 10, 2020, and the same having been considered, it is, therefore, ORDERED, ADJUDGED and DECREED that said above entitled and numbered cause be and the same is hereby dismissed.

NOTICE: Pursuant to Article 38.50(d) of the Code of Criminal Procedure, the Court is notifying you that any toxicological evidence collected in your case pursuant to an investigation or prosecution of an offense under Chapter 49 of the Penal Code does not have to be retained or preserved and may be destroyed pursuant to the authority of Article 38.50(c)(3) and (e) if your indictment or information has been dismissed with prejudice.

SIGNED AND ENTERED on August 10, 2020.

Judge Presiding
Harris County 178th District Court
Harris County, Texas



00275844

**ATTORNEY FEES EXPENSE CLAIM
DISTRICT COURTS-COURT APPEARANCE
UNDER ARTICLE 26.05, CODE OF CRIMINAL PROCEDURE AS AMENDED**

Court No. 178	Defendant Name [REDACTED]	Case Number(s) - Charge(s) 167240101010 - BURGLARY OF A BUILDING			
INDIVIDUAL CASE APPOINTMENT					
NON-TRIAL	First Degree		\$255/day	\$1275	
	Second Degree		\$205/day	\$820	
	Third Degree, SJF, MRP/MAJ	1	\$155/day	\$465	\$155.00
TRIAL	First Degree		\$550/day		
	Second Degree		\$450/day		
	Third Degree, SJF, MRP/MAJ		\$350/day		
PRE-TRIAL HEARING WITH TESTIMONY & PSI HEARING					
OUT OF COURT HOURS	First Degree		\$120/hour	\$2400	
	Second Degree		\$95/hour	\$1140	
	Third Degree, SJF, MRP/MAJ	3	\$75/hour	\$750	\$225.00
SPECIALTY COURT HOURS					
INVESTIGATION HOURS					
INVESTIGATION OTHER EXPENSES					
EXPERT					
BILINGUAL SUPPLEMENT					
OTHER					
TOTAL					\$380.00

Court Appearance(s) : (167240101010): 04/27/2020

PERSONAL INFORMATION

Attorney Name DEANE, SAMUEL HENRY	Telephone Number [REDACTED]	Bar Card Number 05692000
--------------------------------------	--------------------------------	-----------------------------

Mailing Address
103 EASTWAY GALENA_PK TX 77547

CERTIFICATION

I swear or affirm that the Harris County Auditor may rely upon the information contained in this ATTORNEY FEES EXPENSE CLAIM to make payment according to the fee schedule adopted by the Board of District Judges Trying Criminal Cases pursuant to Tex. Code Crim. P. art. 26.05. I further swear or affirm that I have not received nor will I receive anything of value for representing the accused, except as otherwise disclosed to the Court in writing.

/s/ DEANE, SAMUEL HENRY Bar# 05692000

Attorney at Law (Signature)

The above fees, including any fees which exceed the presumptive maximum fees set forth herein were reviewed by this court and determined to be both reasonable and necessary and are hereby approved for payment.

Approved _____
Judge Presiding

<u>Court Number</u> 178	<u>Defendant's Name</u> [REDACTED]	<u>County Auditor's Form 40-1LV</u> Harris County, TX (4/06/2016)
In Court Activities		
<u>Date</u>	<u>Event</u>	<u>Case</u>
04/27/2020	NON-TRIAL Third Degree, SJF, MRP/MAJ	167240101010
Out of Court Activities		
<u>Date</u>	<u>Activity</u>	<u>Case</u>
05/03/2020	Records Research	167240101010
05/07/2020	Other	167240101010
08/09/2020	Other	167240101010
Description		
		Search and review records for client's criminal history, offense report, charges in the complaint, relevant law and RIP report
		Mailed correspondence providing notice of representation and explanation of the charges and the effect of the enhancement paragraphs as well as the evidence against him which was available to the defense at that time.
		Listen/review 911 calls (5), review case documents and prepare email to prosecutor to send on 8/10/20 to open plea negotiations. Mailed additional correspondence to client.
Total Out of Court Activities Hours: 3		



00275844

Harris County, TX (REV. 03/01/2019)

**ATTORNEY FEES EXPENSE CLAIM
DISTRICT COURTS-COURT APPEARANCE
UNDER ARTICLE 26.05, CODE OF CRIMINAL PROCEDURE AS AMENDED**

Court No. 178	Defendant Name [REDACTED]	Case Number(s) - Charge(s) 167240101010 - BURGLARY OF A BUILDING		
				ATFEC (996)
INDIVIDUAL CASE APPOINTMENT	No. of Court Days/Hours	Rate	Total (presumptive max)	Amount
	First Degree	\$255/day	\$1275	
	Second Degree	\$205/day	\$820	
TRIAL	Third Degree, SJF, MRP/MAJ	1	\$155/day	\$465
	First Degree		\$550/day	
	Second Degree		\$450/day	
PRE-TRIAL HEARING WITH TESTIMONY & PSI HEARING		\$350/day		
OUT OF COURT HOURS	First Degree	\$120/hour	\$2400	
	Second Degree	\$95/hour	\$1140	
	Third Degree, SJF, MRP/MAJ	3	\$75/hour	\$750
SPECIALTY COURT HOURS				\$225.00
INVESTIGATION HOURS		\$75 - \$120/hour		
INVESTIGATION OTHER EXPENSES			\$40/hour	\$600/case
EXPERT				\$650/case
BILINGUAL SUPPLEMENT			\$50/day	\$250
OTHER				
				TOTAL
				\$380.00

Court Appearance(s) : (167240101010): 04/27/2020

PERSONAL INFORMATION

Attorney Name DEANE, SAMUEL HENRY	Telephone Number [REDACTED]	Bar Card Number 05692000
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Mailing Address
103 EASTWAY GALENA_PK TX 77547

CERTIFICATION

I swear or affirm that the Harris County Auditor may rely upon the information contained in this ATTORNEY FEES EXPENSE CLAIM to make payment according to the fee schedule adopted by the Board of District Judges Trying Criminal Cases pursuant to Tex. Code Crim. P. art. 26.05. I further swear or affirm that I have not received nor will I receive anything of value for representing the accused, except as otherwise disclosed to the Court in writing.

/s/ DEANE, SAMUEL HENRY Bar# 05692000

Attorney at Law (Signature)

The above fees, including any fees which exceed the presumptive maximum fees set forth herein were reviewed by this court and determined to be both reasonable and necessary and are hereby approved for payment.

Signed: 8/12/2020

Approved _____
Judge Presiding



<u>Court Number</u> 178	<u>Defendant's Name</u> CHANAY, PRESTON	<u>County Auditor's Form 40-1LV</u> Harris County, TX (4/06/2016)		
In Court Activities				
<u>Date</u> 04/27/2020	<u>Event</u> NON-TRIAL Third Degree, SJF, MRP/MAJ	<u>Case</u> 167240101010		
<u>Setting Reason</u> ARRAIGNMENT				
Out of Court Activities				
<u>Date</u>	<u>Activity</u>	<u>Case</u>	<u>Duration</u>	<u>Description</u>
05/03/2020	Records Research	167240101010	01:00 (HH:mm)	Search and review records for client's criminal history, offense report, charges in the complaint, relevant law and RIP report
05/07/2020	Other	167240101010	01:00 (HH:mm)	Mailed correspondence providing notice of representation and explanation of the charges and the effect of the enhancement paragraphs as well as the evidence against him which was available to the defense at that time.
08/09/2020	Other	167240101010	01:00 (HH:mm)	Listen/review 911 calls (5), review case documents and prepare email to prosecutor to send on 8/10/20 to open plea negotiations. Mailed additional correspondence to client.
Total Out of Court Activities Hours: 3				

HCDistrictclerk.com

The State of Texas vs. [REDACTED] (SPN:

2/1/2021

01156996)

Cause: 059740101010 CDI: 3 Court: 184

PAYMENT PLAN

No Payment Plan found.

RELATED CASES

No related cases found.

WITNESS

No Witness found.

SUMMARY**CASE DETAILS**

File Date	5/8/1991
Case (Cause) Status	Complete
Offense	BURG BLDG
Last Instrument Filed	On Appeal CCA
Case Disposition	DISP-082191
Case Completion Date	8/21/1991
Defendant Status	DISPOSED
Bond Amount	\$0.00
Next/Last Setting Date	8/21/1991

DEFENDANT DETAILS

Race/Sex	B / M	Height/Weight	5'09 / 150 LBS		
Eyes	BRO	Hair	BLK		
Skin	DBR	Build	MED		
DOB	[REDACTED] 1955	In Custody	N		
US Citizen YES		Place Of Birth AL			
Address					
Markings					
CURRENT PRESIDING JUDGE					
Court	184 th	Address	201 CAROLINE (Floor: 10) HOUSTON, TX 77002 Phone:8329273900		
JudgeName		Abigail Anastasio			
Court Type		Criminal			

APPEALS

Date	Description	SNU
03/24/1993	MANDATE AFFIRMANCE SNU: 981 03/29/93	0
03/24/1993	OPINION FILED SNU: 982 03/26/93	0
01/29/1993	OPINION FILED SNU: 983 02/01/93	0
05/15/1992	EXT DEFT BRIEF SNU: 984 08/31/92	0
05/15/1992	NEXT- DEFENDANTS BRIEF 08/31/92	0
06/22/1992	EXT DEFT BRIEF SNU: 985 08/25/92	0
06/22/1992	NEXT- DEFENDANTS BRIEF 08/25/92	0
08/13/1992	DIS ATTY - CHECKED IN RECORD SNU: 986 08/26/92	0
08/06/1992	RECORD CHECKED OUT - D.A. SNU: 987 08/07/92	0
08/04/1992	DEF ATTY - CHECKED IN RECORD SNU: 988 08/07/92	0

08/04/1992	DEF ATTY - CHECKED IN RECORD SNU: 989	08/05/92	0
06/05/1992	RECORD CHECKED OUT - DEFENSE ATTY SNU: 990	06/08/92	0
02/21/1992	EXT FILING SOF SNU: 991	04/03/92	0
02/21/1992	NEXT- STATEMENT OF FACTS	04/03/92	0
02/27/1992	STATEMENT OF FACTS SNU: 992	03/04/92	0
02/07/1992	STATEMENT OF FACTS SNU: 993	02/12/92	0
11/20/1991	EXT FILING SOF SNU: 994	11/21/91	0
12/21/1991	NEXT- STATEMENT OF FACTS	11/21/91	0
10/17/1991	MAILED TO FIRST COURT OF APPEALS SNU: 995	10/17/91	0
09/26/1991	DESIGNATION OF RECORD SNU: 996	10/02/91	0
08/26/1991	FIRST COURT OF APPEALS - C01 SNU: 997	08/27/91	0
08/21/1991	PAUPERS AFFIDAVITT SNU: 998	08/23/91	0
08/21/1991	NOTICE OF APPEAL SNU: 999	08/22/91	0
10/20/1991	NEXT- TRANSMIT TRANSCRIPT DUE	08/22/91	0

BONDS

Date	Type	Description	SNU
05/08/1991	BOND SET	\$0 SNU: 999 05/08/91	

ACTIVITIES

Date	Type	Description	SNU/CFI
04/07/1993	DELIVERY ORDER	RETURNED EXECUTED 06/02/93 SNU: 998 06/05/93	
08/13/1992	MOTIONS	WVR ST FILE APPL BRF SNU: 998 08/25/92	
08/13/1992	MOTIONS	FILED CFI 184 08/25/92	
07/08/1992	ORDER	ATTORNEY FEE VOUCHER SNU: 995 07/08/92	
07/08/1992	ORDER	ATTY FEE AMT \$1500.00 SNU: 995 07/08/92	
07/08/1992	RECORDED	VOLUME 0739 PAGE 0548 APP MINUTES CM 07/08/92	
07/08/1992	OFFENSE	BURG BLDG LEVEL F2 07/08/92	
08/22/1991	ORDER	ATTORNEY FEE VOUCHER SNU: 998 08/22/91	
08/22/1991	ORDER	ATTY FEE AMT \$1100.00 SNU: 998 08/22/91	
08/22/1991	RECORDED	VOLUME 0507 PAGE 0271 APP MINUTES CM 08/22/91	
08/22/1991	OFFENSE	BURG BLDG LEVEL F2 08/22/91	
08/21/1991	ATTORNEY	CHARLTON, MICHAEL B. SNU: 998 08/23/91	
08/21/1991	ATTORNEY	AAA COURT 184 CFI 184 08/23/91	
08/21/1991	JUDGE	JAMES, JIMMY PRESIDING 08/23/91	
08/21/1991	C87 ACTIVITY	BOND SET STATUS CFI 184 SNU: 999 08/21/91	
08/21/1991	C87 TYPE OF BOND	APPEAL FOR \$0 08/21/91	
08/21/1991	SENTENCED IN	COURT 184 STARTING 05/07/91 SNU: 999 04/08/93	
08/21/1991	SENTENCE TO	25 YEARS CONFINEMENT 04/08/93	
08/21/1991	ORDER	ORD/GRNT/APPT/ATTY/APPEAL SNU: 997 08/23/91	
08/21/1991	RECORDED	VOLUME 0508 PAGE 0257 APP MINUTES CM 08/23/91	

08/21/1991	OFFENSE	BURG BLDG LEVEL F2 08/23/91
08/21/1991	DELIVERY ORDER	RETURNED EXECUTED 03/04/92 SNU: 999 03/19/92
08/21/1991	JUDGMENT	CONVICTION SNU: 999 04/08/93
08/21/1991	JUDGMENT	NOT GUILTY PLEA - JURY VERDICT 04/08/93
08/21/1991	JUDG OFFENSE	BURG BLDG LEVEL F2 04/08/93
08/21/1991	PENALTY	TDC AMOUNT 25 YEARS 04/08/93
08/21/1991	JUDGMENT	JURY EXAMINED ON VOIR DIRE SNU: 999 04/08/93
08/21/1991	JUDGMENT	JURY SWORN SNU: 999 04/08/93
08/21/1991	JUDGMENT	EVIDENCE PRESENTED SNU: 999 04/08/93
08/21/1991	JUDGMENT	JURY VERDICT RENDERED SNU: 999 04/08/93
08/21/1991	RECORDED	VOLUME 0936 PAGE 0315 APP MINUTES CM 04/08/93
08/20/1991	MOTIONS	MO/ENT/PLEA/NOT/GLTY SNU: 999 08/24/91
08/20/1991	MOTIONS	FILED CFI 184 08/24/91
08/20/1991	ORDER	ORD/PREP/STMNT/FACTS SNU: 996 08/23/91
08/20/1991	RECORDED	VOLUME 0508 PAGE 0257 APP MINUTES CM 08/23/91
08/20/1991	OFFENSE	BURG BLDG LEVEL F2 08/23/91
05/22/1991	GRAND JURY ACTION	FID 05/22/91 G208 SNU: 999 05/23/91
05/22/1991	GRAND JURY ACTION	ROTATION CRT 184 OFF FREQ T BND \$0 05/23/91
05/22/1991	GRAND JURY ACTION	OFFENSE BURG BLDG LEVEL F2 05/23/91
05/22/1991	ORI	***** OFFENSE NO: 05/22/91
05/22/1991	PRECEPT/SERVE IND DATE RETURNED 05/24/91	HOW EXECUTED E 05/24/91
	DATE SERVED	05/24/91 05/24/91
05/13/1991	SERVICE ACTIVITY	BY PLACING DEF IN JAIL ON 05/09/91 05/14/91
05/13/1991	RECEIPTED BY CLERK	05/14/91
05/09/1991	CMIF	TIME 0946 AMOUNT \$0 SNU: 999 05/14/91
05/09/1991	ACKNOWLEDGED BY SHERIFF	05/14/91
05/09/1991	ATTORNEY	HUTHMACHER, RALPH E. SNU: 999 05/09/91
05/09/1991	ATTORNEY	AAT COURT 184 CFI 184 05/09/91
05/09/1991	JUDGE	BURDETTE, ROBERT N. PRESIDING 05/09/91
05/09/1991	ORDER	ORD/APPT/ATTY SNU: 999 05/09/91
05/09/1991	RECORDED	VOLUME 0438 PAGE 0319 APP MINUTES CM 05/09/91
05/09/1991	OFFENSE	BURG BLDG LEVEL F2 05/09/91
05/08/1991	COMPLAINT FILED	0740 184 BURG BLDG LEVEL F2 05/08/91
05/08/1991	BOND SET	\$0 SNU: 999 05/08/91
05/08/1991	REVIEWED BY	05/08/91
05/08/1991	ORI	HOUSTON POLICE DEPAR OFFENSE NO: 46177291 05/08/91
05/08/1991	COMPLAINANT	I. BAGBY 05/08/91

BOOKINGS

Arrest Date

Arrest Location

Booking Date

5/7/1991 10:19:00 PM

HOUS

5/9/1991 1:27:00 AM

HOLDS

Agency Placing Hold	Agency Name	Warrant Number	Bond Amount	Offense	Hold Placed	Hold Lifted
TX227015G	BOPP	03089473	\$0.00	MOTION TO REVOKE PAROLE	4/23/2020	8/8/2020
TX227015G	BOPP	03089473	\$0.00	MOTION TO REVOKE PAROLE	7/7/2019	8/16/2019
TX227015G	BOPP	03089473	\$0.00	PAROLE VIOLATION	5/28/2018	4/17/2019
TX227015G	BOPP	03089473	\$0.00	PAROLE VIOL	11/6/2017	12/1/2017
TX BOPP	TX BOPP	0991528231	\$0.00	PAROLE VIOLATOR	9/27/1991	3/4/1992
TX- BOPP	TEXAS BOPP	8159528231	\$0.00	MOTION TO REVOKE PAROLE	8/16/1990	9/11/1990
TDC		0000445840	\$0.00	MOTION TO REVOKE PAROLE	11/17/1987	7/6/1988
TDC		468255	\$0.00	BENCH WARRANT TDC	5/26/1987	6/3/1987

CRIMINAL HISTORY

Case(Cause)Nbr / Status	Defendant	Filed / Booked	Ct	Defendant Disposition Status	Bond Amt	Type of Action / Next Offense	Next Setting
<u>167240101010-3</u> <u>Dismissed(D)</u>	[REDACTED]	4/21/2020 4/23/2020	178	Disposed(D) Dismissed(DISM)	8/10/2020 \$1,000.00	BURGLARY OF A BUILDING (F)	8/10/2020
<u>226790401010-2</u> <u>Complete(C)</u>	[REDACTED]	7/8/2019 7/7/2019	4	Disposed(D) Disposed(DISP)	7/15/2019 \$100.00	FAIL TO ID TO P.O. FALSE INF/FUG (M)	7/15/2019
<u>159252501010-3</u> <u>Complete(C)</u>	[REDACTED]	5/28/2018 5/28/2018	182	Disposed(D) Disposed(DISP)	4/2/2019 \$100.00	ASSAULT-BODILY INJURY (M)	4/2/2019
<u>158311001010-3</u> <u>Complete(C)</u>	[REDACTED]	3/10/2018 3/12/2018	351	Disposed(D) Disposed(DISP)	4/6/2018 Refer to 15.17 Hearing	THEFT <\$2,500 2/MORE PREV CONVS (F)	4/6/2018
<u>059740101010-3</u> <u>Complete(C)</u>	[REDACTED]	5/8/1991 5/9/1991	184	Disposed(D) Disposed(DISP)	8/21/1991 \$100.00	BURG BLDG (F)	8/21/1991
<u>058523901010-3</u> <u>Complete(C)</u>	[REDACTED]	1/6/1991 1/6/1991	262	Disposed(D) Disposed(DISP)	3/14/1991 \$100.00	CRIMINAL TRESPASS (M)	3/14/1991
<u>057153401010-3</u> <u>Complete(C)</u>	[REDACTED]	8/8/1990 8/8/1990	209	Disposed(D) Disposed(DISP)	8/23/1990 \$20,000.00	ASSLT (M)	8/23/1990
<u>054452301010-3</u> <u>Complete(C)</u>	[REDACTED]	10/11/1989 10/12/1989	174	Disposed(D) Disposed(DISP)	10/12/1989 \$5,000.00	THEFT-\$200-\$750 HABITUAL (F)	10/12/1989
<u>051047801010-3</u> <u>Complete(C)</u>	[REDACTED]	9/11/1988 9/12/1988	337	Disposed(D) Disposed(DISP)	10/11/1988 \$20,000.00	BURG BLDG (F)	10/11/1988
<u>048778401010-3</u> <u>Complete(C)</u>	[REDACTED]	11/4/1987 11/5/1987	178	Disposed(D) Disposed(DISP)	12/1/1987 \$2,000.00	THEFT-\$20-200 (M)	12/1/1987
<u>046825601010-3</u> <u>Complete(C)</u>	[REDACTED]	1/31/1987 2/1/1987	262	Disposed(D) Disposed(DISP)	3/4/1987 \$20,000.00	THEFT FROM PERSON (F)	3/4/1987
<u>090409201010-2</u> <u>Complete(C)</u>	[REDACTED]	7/22/1986 7/22/1986	8	Disposed(D) Disposed(DISP)	7/23/1986 \$800.00	TRESPASS PROP/BLDG-NO DEPART (M)	7/23/1986

<u>090202701010-</u> <u>2Complete(C)</u>	[REDACTED]	7/6/1986 11	Disposed(D) 7/8/1986	Disposed(DISP)	7/9/1986	\$800.00	THEFT \$20-\$200 (M)	7/9/1986
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ACTIVE PARTIES

Name	Connection	Post Jdgm	SPN #
JAMES, JIMMY (JUDGE)	JUDGE - CRIMINAL		00001981
CHARLTON, MICHAEL	APPOINTED ATTY ON APPEAL		54144800
TRAYLOR, DEBBIE	COURT REPORTER - CRIMINAL		00400792
MCINTYRE, JO ANNE	COURT REPORTER - CRIMINAL		00618490
BURDETTE, ROBERT N	JUDGE - CRIMINAL		53368000
HUTHMACHER, RALPH E	APPOINTED DEFENSE ATTORNEY		60358000
[REDACTED]	DEFENDANT - CRIMINAL		01156996

INACTIVE PARTIES

No inactive parties found.

SETTINGS

Date	Court	Post	Docket	Reason	Results	Defendant	Future Date	Comments	Attorney Appearance Indicator
5/09/1991 09:00 AM	184		Probable Cause	Preliminary Hearing	Initial Appearance	Reset	Data Unavailable	6/4/1991 12:00:00 AM	Absent
6/04/1991 09:00 AM	184		Master Docket	Arraignment		Reset	Data Unavailable	6/6/1991 12:00:00 AM	Present
6/06/1991 09:00 AM	184		Master Docket	Non-Trial Setting		Reset	Data Unavailable	7/15/1991 12:00:00 AM	Present
8/19/1991 09:00 AM	184		Master Docket	Jury Trial		Reset	Data Unavailable	8/20/1991 12:00:00 AM	Present
8/20/1991 09:00 AM	184		Master Docket	Jury Trial		Reset	Data Unavailable	8/21/1991 12:00:00 AM	Present
8/21/1991 09:00 AM	184		Master Docket	Jury Trial		Jury Conviction	Data Unavailable	1/1/0001 12:00:00 AM	Present
5/20/1991 09:00 AM	208		Grand Jury Agenda	Grand Jury			Data Unavailable	1/1/0001 12:00:00 AM	Absent

ALIASES

Defendant Alias	True Name	Race	Sex	DOB	SPN#
[REDACTED]	Yes	B	M	[REDACTED] 1955	01156996
[REDACTED]		B	M	[REDACTED] 1955	01156996
[REDACTED]		B	M	[REDACTED] 1955	01156996

DOCUMENTS

Number	Document	Post Jdgmt	Date	Pgs
90545577	MANDATE - AFFIRMANCE		03/24/1993	1
90545576	JUDGMENT		08/21/1991	2
90545575	CHARGING INSTRUMENT - FELONY INDICTMENT		05/22/1991	1
90545574	CHARGING INSTRUMENT - COMPLAINT		05/08/1991	2

THE STATE OF TEXAS
VS.NO. 591401 IN THE 184TH DISTRICT

COURT OF HARRIS COUNTY, TEXAS

Change of Venue From: H/TJUDGMENT ON JURY VERDICT OF GUILTY
PUNISHMENT FIXED BY COURT OR JURY

Judge Presiding:	<u>Bob Buddeko</u>	Date of Judgment:	<u>08-20-1991</u>
Attorney for State:	<u>J. Stephens</u>	Attorney for Defendant:	<u>R. Guttmacher</u>
Offense	<u>Burglary of a Building with intent to commit other</u>		
Convicted of:	<u>Habitual</u>		
Degree:	Date Offense Committed: <u>May 7, 1991</u>		
Charging Instrument:	Indictment/Information		
Plea:	<u>Not guilty</u>		
Jury Verdict:	<u>GUILTY</u>		
Plea to Enhancement:	<u>Not True 1+2</u>		
Paragraph(s):	<u>Foreman: Catherine Diane Parker found True 1+2</u>		
Findings on Use of Deadly Weapon:	<u>NA</u>		
Punishment Assessed by:	<u>the Jury</u>		
Date Sentence Imposed:	<u>August 21, 1991</u>		
Punishment and Place of Confinement:	<u>50 years TDCJ</u>		
Time Credited:	<u>NA</u>		
Concurrent Unless Otherwise Specified:	<u>NA</u>		
Statement of amount of Payment Required/Terms of Payment: <u>NA</u>			

On this day, set forth above, this cause was called for trial, and the State appeared by the above named attorney, and the defendant appeared in person in open court, the above named counsel for Defendant also being present, or, where a defendant is not represented by counsel, that the Defendant knowingly, intelligently, and voluntarily waived the right to representation by counsel as indicated above, and the said Defendant having been duly arraigned and it appearing to the Court that Defendant was mentally competent, and having pleaded as shown above to the indictment/information herein, both parties announced ready for trial and thereupon a jury, to-wit, the above named foreman and eleven others was duly selected, impaneled and sworn, who having heard the indictment/information read and the Defendant's plea thereto, and having heard the evidence submitted, and having been duly charged by the Court, retired in charge of the proper office to consider the verdict, and afterward were brought into Court by the proper officer, the Defendant and defendant's counsel being present, and returned into open court the verdict set forth above, which was received by the Court and is here now entered upon the minutes of the Court as shown above.

NA The Defendant, in person, in writing, and in open court, with the written agreement of the court, waived his right to the preparation of a pre-sentence report prepared by the Probation Officer, such waiver having been filed in the papers of the cause.

NA The Defendant not having waived the preparation of a pre-sentence report by the Probation Officer, the Court directed the Probation Officer to prepare such report.

On the 21 day of August, A.D. 1991, the Defendant having previously elected to have punishment assessed by the above shown assessor of punishment, and when shown above that the indictment/information contains enhancement paragraph(s), which were not waived, and alleges Defendant to have been convicted twice previously of any felony or offenses for the purpose of enhancement of punishment, then the Court asked Defendant if such allegations were true or false and Defendant answered as shown above. And when Defendant is shown above to have elected to have the jury assess punishment, such jury was called back into the box and heard evidence relative to the question of punishment and having been duly charged by the Court; they retired to consider such question, and after having deliberated, they returned into Court the verdict shown under punishment above; and when Defendant is shown above to have elected to have punishment fixed by the Court, in due form of law further evidence was heard by the Court relative to the question of punishment and the Court fixed punishment of the Defendant as shown above.

IT IS, THEREFORE, CONSIDERED AND ORDERED by the Court, in the presence of the Defendant, that the said judgment be, and the same is hereby in all things approved and confirmed, and that the Defendant is adjudged

Case 4:19-cv-00226 Document 396-1 Filed on 02/04/21 in TXSD Page 24 of 24
guilty of the offense set forth above as found by the verdict of the jury as set forth above, and said Defendant be punished in accordance with the jury verdict or the court's finding, as shown above and that the Defendant is sentenced to a term of imprisonment or fine or both, as set forth above, and that the said Defendant be delivered by the Sheriff to the Director of the Texas Department of Criminal Justice, Institution Division, or other person legally authorized to receive such convicts for the punishment assessed herein, and the said Defendant shall be confined for the above named term in accordance with the provisions of law governing such punishments and execution may issue as necessary.

And the said Defendant was remanded to jail until said Sheriff can obey the directions of this judgment.

*TO BE COMPLETED ONLY WHEN IMPOSITION OF SENTENCE SUSPENDED AND DEFENDANT GRANTED PROBATION.

[] On this the 10 day of July, 1991 imposition of this sentence is suspended and defendant is placed on Adult Probation for 3 yrs years pending his abiding by and not violating the terms and conditions of probation, approved by this court and attached as a part of this judgment herewith.

Clerk of the Court furnished the probationer with a copy of the terms and conditions of probation.

BILL OF COSTS			
Payment Type: <u>(S, I, D, M or L)</u> (NOTE: If "I" or "D" see attached order)			
Jail Time: <u>H/D/M/Y</u> CC: Y/N Y=Yes N=No (jail/fine/cost concurrent)			
Time Assessed Texas Department of Criminal Justice, Institutional Div.: <u>D/M/Y</u>			
Jail Credit: <u>H/D/M/Y</u> Sentence to Begin Date: _____			
Jail as a Term of Probation: <u>H/D/M/Y</u> Additional Jail Credit: <u>H/D/M/Y</u>			
Payable on or Before: <u>PL0:</u> Reward SPN: <u>COC:</u>			
Hours of Sentence to be Served by Performing Community Service			
Defendant to Serve Sentence by Electronic Monitoring? (Y or N): <u>25 yrs FIX/TD</u>			
NOTE TO SHERIFF:			
Transcript at: <u>Pages.....</u>	Crime Stoppers Fee.....	2	00
Serving Capias: <u>/Summons:</u>	Jury Fee.....		
Summoning <u>Witness/Mileage.....</u>	CJPF.....	20	00
Jury Fee.....	LEOSEF.....	1	50
Taking: <u>Bonds.....</u>	CVCF.....	20	00
Commitment.....	DCLCF.....		
Release.....	GCTF.....	1	00
Attachment.....	Video Fee.....		
Arrest W/O Warrant/Capias.....	DWI Evaluation Fee.....		
RECAPITULATION			
Fine Amount.....	Reward Repayment.....		
Miscellaneous Cost.....	Pre-Bond Drug Test.....		
Special Expense.....	Bond/Elec Monitor Fee.....		
Trial Fee.....	ACCA.....		
District Attorney Fee	Financial Responsibility.....		
Clerk's Fee.....	PTR Fee.....		
Sheriff's Fee.....	Attorney Fee.....		
	Out of County Witness Fee.....		
	Amount Probated/Waived.....		
	TOTAL AMOUNT OWED.....		

Signed and entered this the 21 day of August, A.D., 1991

Notice of Appeal: 08-21-1991
Probation Expires: No Bond 3 yrs Appeal

Mandate Received: 3-24-1993

(Check if Applicable)

[] Defendant to be placed in the "S.A.I.P." (Boot Camp) program in the Texas Department of Criminal Justice, Institutional Division pursuant to Art. 62.03 (c)-9 Revised Statutes/Article 42.12, Section 8, C.C.P.

Received on 21 day of Aug, A.D., 1991 at 5:00 o'clock P.M.
Sheriff, Harris County, Texas

By C. Robins Deputy

VSD

Entered 180999
Verified VSD

RECORDED'S MEMORANDUM
This instrument is of poor quality
and not satisfactory for photography
recording; and/or alterations were
present at the time of signing.



Defendant's
Index Fingerprint

10936 P0316

14506 P0536